

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1460

IN THE MATTER OF:

Order Directing DIAMOND )  
TOURS, INC., to Comply )  
with Regulation No. )  
65-03 )

Served October 17, 1975

Docket No. 293

The Compact, Title II, Article XII, Section 10(a) empowers the Commission to require annual or other periodic reports from any carrier. Commission Regulation 65-03 provides as follows:

Every carrier holding a certificate of public convenience and necessity issued by the Commission shall file with the Commission, on or before the 31st day of March of each year, an annual report, in such form as the Commission shall prescribe, setting forth financial, statistical and general information pertaining to its sightseeing operations.

The Commission revised the annual report form and, as a result, did not circulate the form until April 1, 1975. The filing date also was postponed until May 31, 1975. By letter dated June 26, 1975, the Commission staff notified Diamond Tours, Inc., (Diamond) that failure to file an annual report constituted noncompliance with a provision of the Compact. The annual report has not been filed and this constitutes a violation of Commission Regulation 65-03, as modified.

The Commission shall direct Diamond to file the annual report within ten (10) days of the service date of this order. The Commission also shall schedule a hearing, not less than thirty (30) days after the service date of this order, for the purpose of determining whether Diamond has wilfully failed to comply with this order, which commands obedience to its regulations. Cf. Compact, Title II, Article XII, Section 4(g).

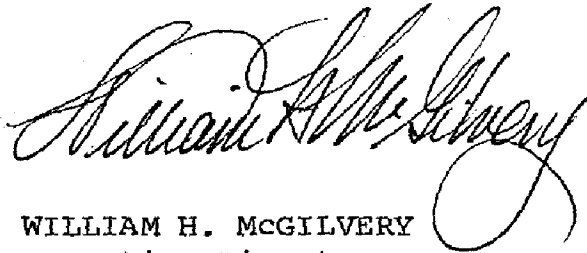
THEREFORE, IT IS ORDERED:

1. That Diamond Tours, Inc., be, and it is hereby, directed to file its annual report for the calendar year ended December 31, 1974, not later than ten (10) days from the date of service this order.

2. That a public hearing be, and it is hereby, scheduled for Monday, November 17, 1975, at 1:30 P.M. in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006, for the purpose of determining whether Diamond Tours, Inc., has wilfully failed to comply with this order.

3. That Diamond Tours, Inc., be, and it is hereby, assessed \$50 pursuant to the provisions of the Compact, Title II, Article XII, Section 19 and directed to deposit said amount in the name and to the credit of the Washington Metropolitan Area Transit Commission in the American Security and Trust Company, 1612 K Street, N. W., Washington, D. C., on or before Friday, November 7, 1975.

BY DIRECTION OF THE COMMISSION:

A handwritten signature in cursive script, reading "William H. McGilvery". The signature is written in dark ink and is positioned above the printed name and title.

WILLIAM H. MCGILVERY  
Executive Director